

REMARKS

For purposes of this response, applicant assumes the previously submitted amendment has not been entered. Thus, claims 1-13 are pending. Applicant herewith amends claims 10-13 to be in better form for US practice. No new matter is added with the amendment.

In the Notice of Non-Compliant Amendment ("Notice"), the Examiner objected to the claim identifier "Previously Presented" and requested applicant to identify such claims so identified as being "Original". However, the Examiner also indicated in the Notice that non-elected claims should be identified as "Withdrawn." In response, applicant herewith identifies claims 1-9 as "Original" but maintains the "Currently Amended" indicator for elected claims 10 and 11 and for claims 12 and 13, which applicant vigorously argues should be part of the same group as elected claims 10 and 11. Because the Examiner has not responded to Applicant's traversal of the Restriction Requirement and has not made such Restriction Requirement final, applicant believes the "Original" identifier is proper for claims 1-9 and the "Currently Amended" indicator is proper for claims 12 and 13. Applicant will withdraw the non-elected claims, and will so indicate with an identifier, if and when the Examiner makes the Restriction Requirement "final".

CONCLUSION

Withdrawal of the Restriction Requirement is again respectfully requested for reasons set forth in the Response filed November 16, 2009. Examination on the merits is respectfully requested.

The Examiner is invited to contact the undersigned at the telephone number listed below, for any reason related to the advancement of this case.

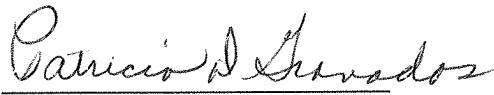
Application No.: 10/568,104

Docket No.: 021305.00294

In the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 01-2300 referencing docket number 021305-00294.

Respectfully submitted,

Date: February 18, 2010

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